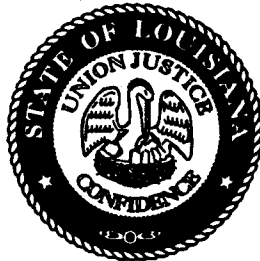




**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.: KNG-200309330
EVALUATOR: Ms. Kaaren Geter
PHONE NO.: (601) 631-5162
FAX NO.: (601) 631-5459
E-MAIL: regulatory@mvk02.usace.army.mil
DATE: November 19, 2003
EXPIRATION DATE: December 10, 2003

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the Louisiana Department of Environmental Quality, Office of Environmental Services, Post Office Box 4313, Baton Rouge, LA 70821-4313.

The Louisiana Department of Environmental Quality has a copy of the application on file in their office in Baton Rouge and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing. The Louisiana Department of Environmental Quality will make a final decision on the water quality certification pertaining to this application within 30 days after expiration of this notice.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Charles Theus
Suite 314
141 DeSiard Street
Monroe, Louisiana 71201

Name of Agent:

Mr. Robert L. George, IV
S. E. Huey Co.
1111 North 19th Street
Monroe, Louisiana 71201

Location of Work: Section 33, T18N-R4E, latitude 32°29'56.91" longitude 92°4'1.16", within the Ouachita River Drainage Basin, Ouachita Parish, in Monroe, Louisiana.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to place fill into wetlands and other waters of the United States. The purpose of the work is for construction of retail buildings and parking lots.

The project site consists of a total of 16.5 acres, of which approximately 2.27 acres are wetlands and 0.75 acre other waters of the United States. Three areas of wetlands are located on the proposed site. One of the three areas contains 1.25 acres of forested wetlands and 0.80 acre of herbaceous wetlands. The second area contains 0.17 acre of forested wetland and the third section area 0.05 acre of herbaceous wetland. Vegetation on the site consists of American elm (*Ulmus Americana*), Hackberry (*Celtis laevigata*), Water Oak (*Quercus nigra*), and Thinscale Sedge (*Carex hyalinolepis*). Soils on the site are classified as Portland Clay, non-hydric soils with hydric inclusions. A channelized drainage canal, approximately 1312 feet long and 20 feet deep, makes up the 0.75 acre of other waters of the United States located on site.

The applicant proposes to mechanically clear and fill the site in preparation for the construction of a movie theater, several restaurant/retail buildings, and asphalt parking lots. The canal that currently transverses the property would be relocated to the north and east, with a portion of the rerouted canal being piped and the remainder an open canal. The new canal would be approximately 2800 feet long. The piped portion of the new canal would be approximately 1,800 feet long using double 96 inch corrugated metal pipe. The new open canal would be approximately 1000 feet long, 12 feet deep, 3:1 slope with a 4-foot width across the bottom and a 50-foot width across the upper portion. Riprap would be placed along the sides where needed to help control erosion. The current canal would be filled. Approximately 85,000 cubic yards of fill material obtained from a clean commercial source would be used to fill the wetlands and other waters.

The placement of dredged and/or fill material in wetlands and waters of the United States associated with the mechanized land clearing requires a Department of the Army Permit. Upon reviewing this notice, you should write to this office to

provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Ouachita Parish listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and advise this office of any flood plain development permit requirements.

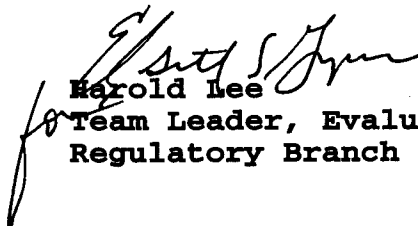
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by

the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.


Harold Lee
Team Leader, Evaluation Section
Regulatory Branch

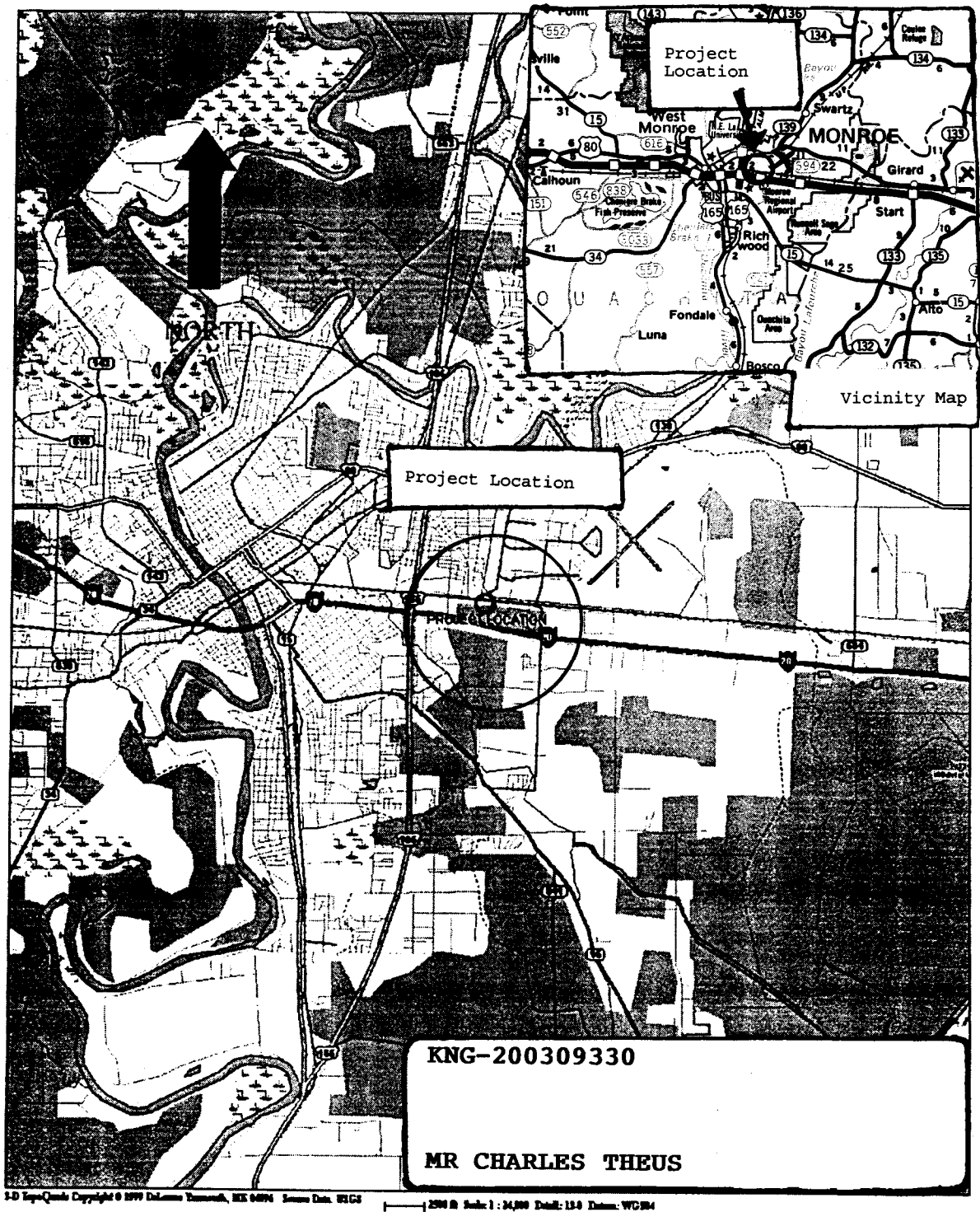
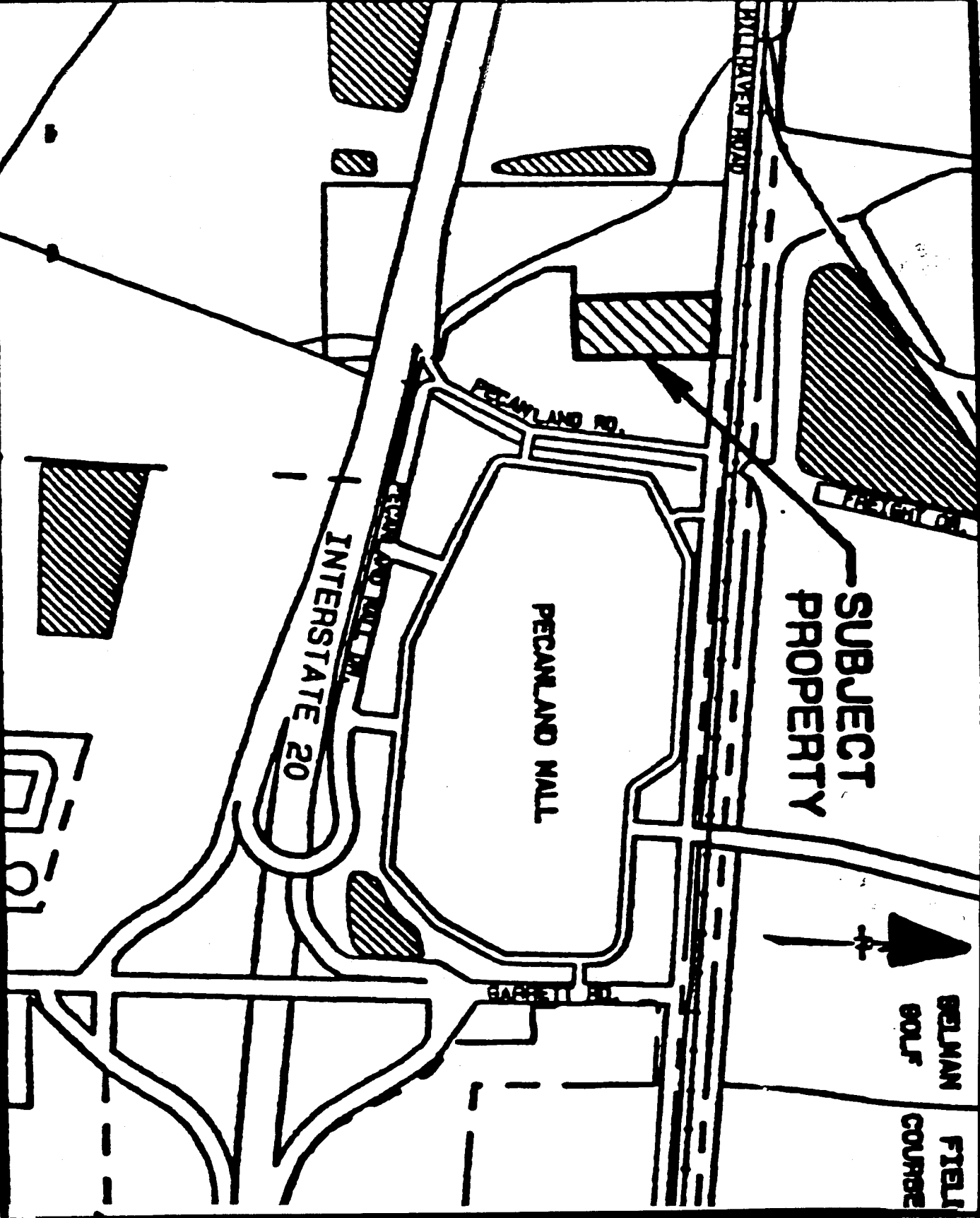


FIGURE 1: GENERAL LOCATION MAP.



**SUBJECT
PROPERTY**

PECANLAND MALL

INTERSTATE 20

HILLVIEW ROAD

PECANLAND RD.

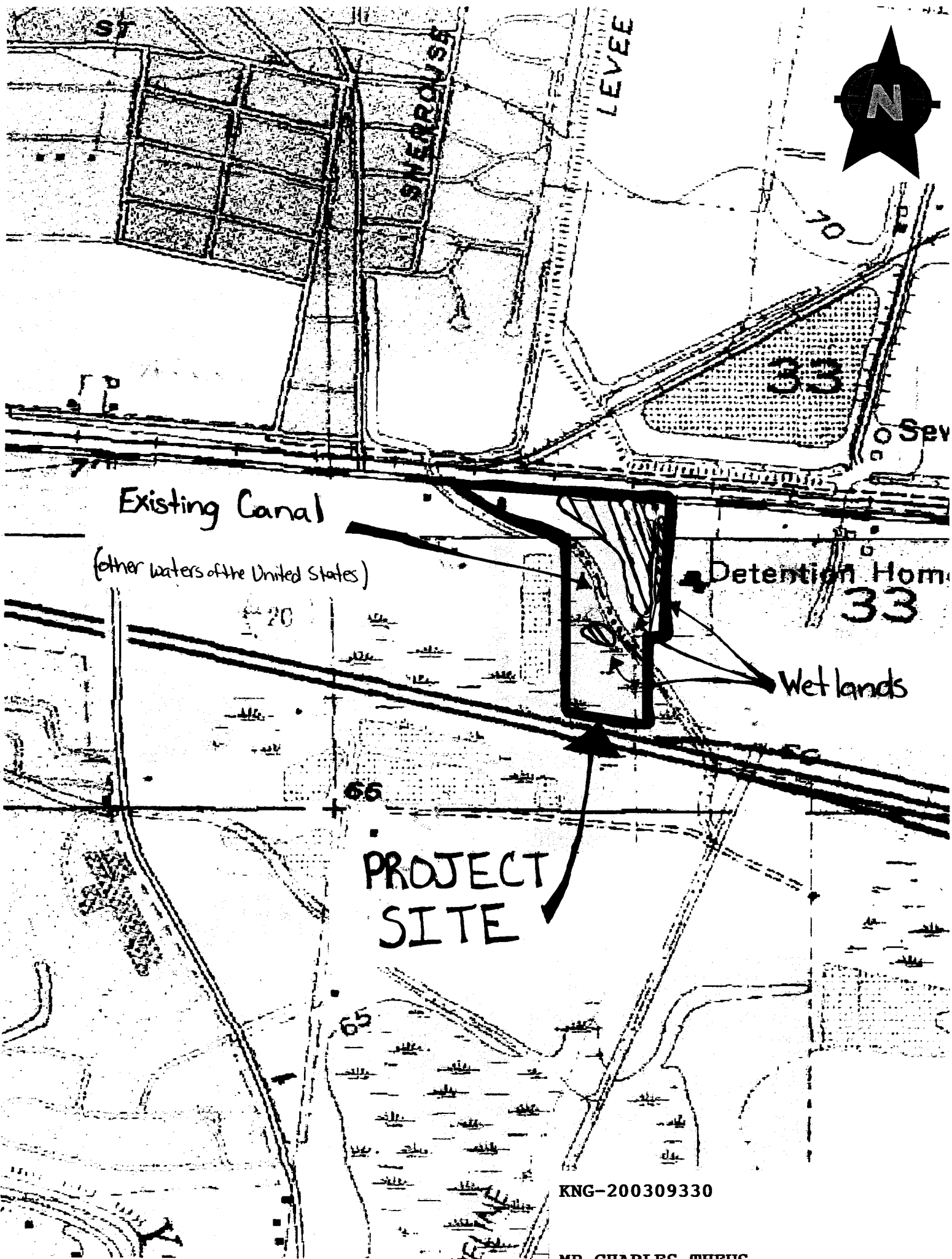
**BELMAN
FIELD
GOLF
COURSE**

VICINITY MAP

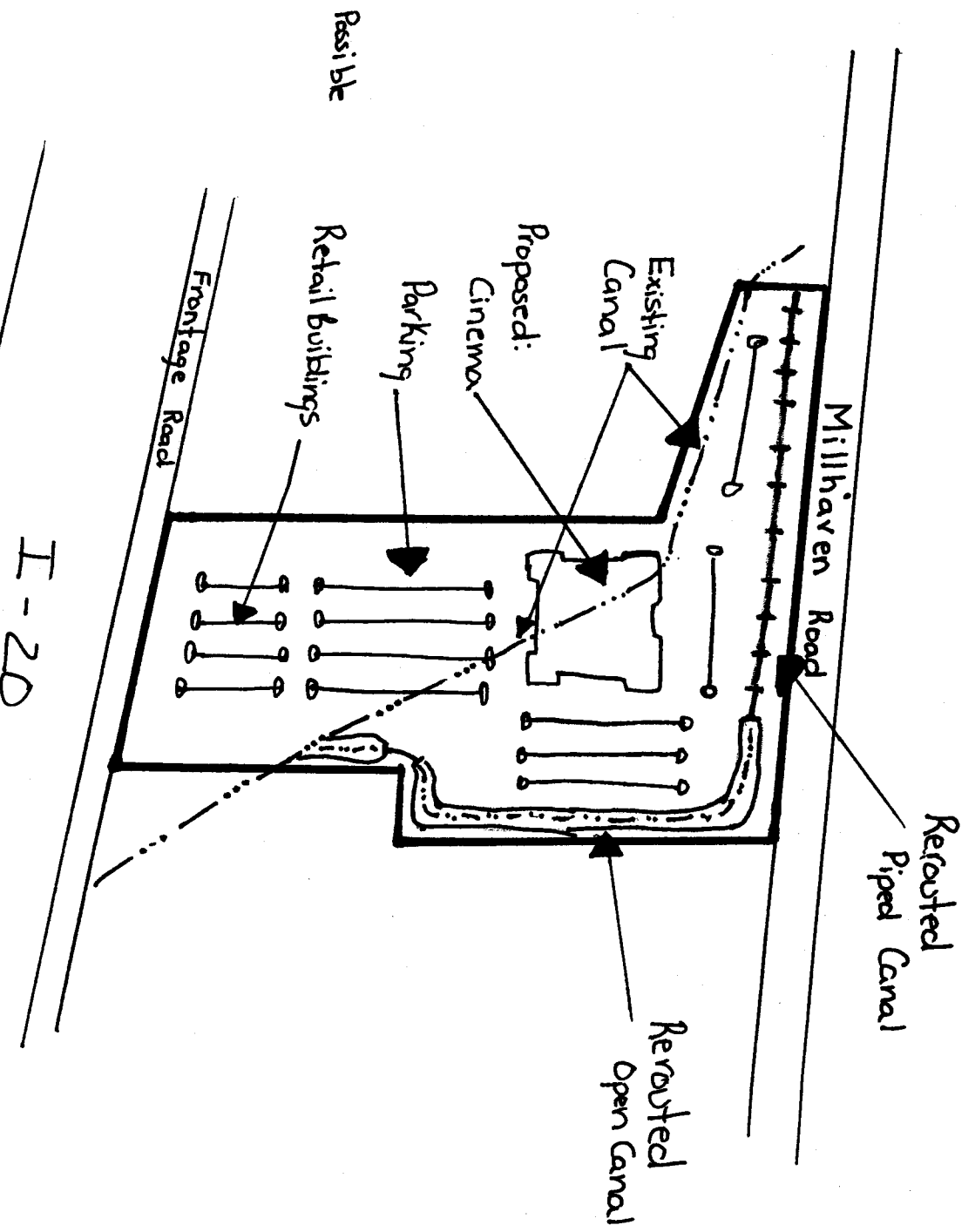
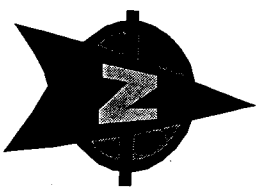
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MR CHARLES THEUS



MR CHARLES THEUS



CONCEPTUAL SITE LAYOUT

KNG-200309330

MR CHARLES THOMPSON